

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION**

RYAN BRESLOW, ALEX FINE, and JON  
GORDON,

Plaintiffs,

v.

MARK PHILLIPS and BENJAMIN REED,

Defendants.

Action No.: 23-cv-20727-ALTMAN/Reid

Honorable Roy K. Altman

---

**PLAINTIFFS' EXHIBIT LIST FOR PRELIMINARY INJUNCTION HEARING**

Plaintiffs Ryan Breslow, Alex Fine, and Jon Gordon hereby submit the following Exhibit List, which includes Defendants' Objections. (*Continued on next page*).

Exhibit Number	Objections	Admitted
Exhibit 001		
Exhibit 002		
Exhibit 003		
Exhibit 004		
Exhibit 005		
Exhibit 006		
Exhibit 007	<p>"Evidence of a witness's conviction is not admissible if more than ten years have elapsed since the date the witness was convicted or released from prison. . . . Nevertheless, an older conviction may be introduced if 'the court determines, in the interests of justice, that the probative value of the conviction ... substantially outweighs its prejudicial effect.'" <i>United States v. Walthour</i> , 202 F. App'x 367, 371 (11th Cir. 2006) (quoting Fed. R. Evid. 609(b)). Mr. Phillips was released from prison on March 29, 2013, and the prejudicial value of this document is not substantially outweighed by the probative value. <a href="https://www.bop.gov/mobile/find_inmate/byname.jsp">https://www.bop.gov/mobile/find_inmate/byname.jsp</a> (search for Mark (first name), Edward (middle name), Phillips (last name)).</p>	
Exhibit 008		
Exhibit 009		
Exhibit 010		
Exhibit 011		
Exhibit 012		
Exhibit 013		
Exhibit 014		
Exhibit 015		
Exhibit 016		
Exhibit 017		
Exhibit 018		
Exhibit 019		
Exhibit 020		
Exhibit 021		
Exhibit 022		
Exhibit 023		
Exhibit 024		
Exhibit 025		
Exhibit 026		
Exhibit 027		
Exhibit 028		
Exhibit 029		
Exhibit 030		
Exhibit 031		
Exhibit 032		
Exhibit 033		

Exhibit 034		
Exhibit 035		
Exhibit 036		
Exhibit 037		
Exhibit 038		
Exhibit 039		
Exhibit 040		
Exhibit 041		
Exhibit 042		
Exhibit 043		
Exhibit 044		
Exhibit 045		
Exhibit 046		
Exhibit 047		
Exhibit 048	Duplicative of Ex. 4. Fed. R. Evid. 403.	
Exhibit 049		
Exhibit 050		
Exhibit 051		
Exhibit 052		
Exhibit 053		
Exhibit 054		
Exhibit 055		
Exhibit 056		
Exhibit 057		
Exhibit 058		
Exhibit 059		
Exhibit 060		
Exhibit 061		
Exhibit 062		
Exhibit 063		
Exhibit 064		
Exhibit 065		
Exhibit 066		
Exhibit 067		
Exhibit 068		
Exhibit 069		
Exhibit 070		
Exhibit 071		
Exhibit 072		
Exhibit 073		
Exhibit 074		
Exhibit 075 - Intentionally Omitted		
Exhibit 076		
Exhibit 077		
Exhibit 078		
Exhibit 079 - Intentionally Omitted		
Exhibit 080		

Exhibit 081		
Exhibit 082		
Exhibit 083		
Exhibit 084		
Exhibit 085		
Exhibit 086		
Exhibit 087		
Exhibit 088		
Exhibit 089		
Exhibit 090		
Exhibit 091		
Exhibit 092		
Exhibit 093		
Exhibit 094		
Exhibit 095		
Exhibit 096		
Exhibit 097		
Exhibit 098		
Exhibit 099	Duplicative of Ex. 60. Fed. R. Evid. 403.	
Exhibit 100		
Exhibit 101		
Exhibit 102		
Exhibit 103		
Exhibit 104	Duplicative of Ex. 46. Fed. R. Evid. 403.	
Exhibit 105		
Exhibit 106		
Exhibit 107		
Exhibit 108		
Exhibit 109		
Exhibit 110		
Exhibit 111		
Exhibit 112		
Exhibit 113		
Exhibit 114		
Exhibit 115		
Exhibit 116		
Exhibit 117		
Exhibit 118		
Exhibit 119		
Exhibit 120		
Exhibit 121		
Exhibit 122		
Exhibit 123		
Exhibit 124		
Exhibit 125		
Exhibit 126		
Exhibit 127		

Exhibit 128		
Exhibit 129		
Exhibit 130		
Exhibit 131		
Exhibit 132		
Exhibit 133		
Exhibit 134		
Exhibit 135		
Exhibit 136		
Exhibit 137	<p>"Evidence of a witness's conviction is not admissible if more than ten years have elapsed since the date the witness was convicted or released from prison. . . . Nevertheless, an older conviction may be introduced if 'the court determines, in the interests of justice, that the probative value of the conviction ... substantially outweighs its prejudicial effect.'" <i>United States v. Walthour</i> , 202 F. App'x 367, 371 (11th Cir. 2006) (quoting Fed. R. Evid. 609(b)). Mr. Phillips was released from prison on March 29, 2013, and the prejudicial value of this document is not substantially outweighed by the probative value. <a href="https://www.bop.gov/mobile/find_inmate/byname.jsp">https://www.bop.gov/mobile/find_inmate/byname.jsp</a> (search for Mark (first name), Edward (middle name), Phillips (last name)).</p>	
Exhibit 138	<p>"Evidence of a witness's conviction is not admissible if more than ten years have elapsed since the date the witness was convicted or released from prison. . . . Nevertheless, an older conviction may be introduced if 'the court determines, in the interests of justice, that the probative value of the conviction ... substantially outweighs its prejudicial effect.'" <i>United States v. Walthour</i> , 202 F. App'x 367, 371 (11th Cir. 2006) (quoting Fed. R. Evid. 609(b)). Mr. Phillips was released from prison on March 29, 2013, and the prejudicial value of this document is not substantially outweighed by the probative value. <a href="https://www.bop.gov/mobile/find_inmate/byname.jsp">https://www.bop.gov/mobile/find_inmate/byname.jsp</a> (search for Mark (first name), Edward (middle name), Phillips (last name)).</p>	

Exhibit 139	<p>"Evidence of a witness's conviction is not admissible if more than ten years have elapsed since the date the witness was convicted or released from prison. . . . Nevertheless, an older conviction may be introduced if 'the court determines, in the interests of justice, that the probative value of the conviction ... substantially outweighs its prejudicial effect.'" <i>United States v. Walthour</i> , 202 F. App'x 367, 371 (11th Cir. 2006) (quoting Fed. R. Evid. 609(b)). Mr. Phillips was released from prison on March 29, 2013, and the prejudicial value of this document is not substantially outweighed by the probative value. <a href="https://www.bop.gov/mobile/find_inmate/byname.jsp">https://www.bop.gov/mobile/find_inmate/byname.jsp</a> (search for Mark (first name), Edward (middle name), Phillips (last name)).</p>	
Exhibit 140		
Exhibit 141		
Exhibit 142		
Exhibit 143		
Exhibit 144		
Exhibit 145		
Exhibit 146		
Exhibit 147		
Exhibit 148		
Exhibit 149		
Exhibit 150		
Exhibit 151		
Exhibit 152		
Exhibit 153		
Exhibit 154		
Exhibit 155		
Exhibit 156		
Exhibit 157		
Exhibit 158		
Exhibit 159		
Exhibit 160		
Exhibit 161		
Exhibit 162		
Exhibit 163		
Exhibit 164		
Exhibit 165	Hearsay. Fed. R. Evid. 802. Prejudice substantially outweighs probative value. Fed. R. Evid. 403.	
Exhibit 166		
Exhibit 167		
Exhibit 168		
Exhibit 169		
Exhibit 170		

Dated: April 20, 2023

John K. Shubin, Esq.  
Dylan M. Helfand, Esq.  
Jamie L. Katz, Esq.  
**SHUBIN & BASS, P.A.**  
150 W Flagler Street, Suite 1420  
Miami, FL 33130  
Tel.: (305) 381-6060  
Fax: (305) 381-9457  
Email: [jshubin@shubinbass.com](mailto:jshubin@shubinbass.com)  
[jkatz@shubinbass.com](mailto:jkatz@shubinbass.com)  
[dhelfand@shubinbass.com](mailto:dhelfand@shubinbass.com)

*Attorneys for Plaintiffs Ryan Breslow, Alex  
Fine, And Jon Gordon*

/s/Christopher T. Berg  
Christopher T. Berg (*pro hac vice pending*)  
Benjamin J. Kussman (*pro hac vice pending*)  
**ELLIS GEORGE CIPOLLONE**  
**O'BRIEN ANNAGUEY LLP**  
2121 Avenue of the Stars, 30th Floor  
Los Angeles, California 90067  
(310) 274-7100  
Email: [cberg@egcfirm.com](mailto:cberg@egcfirm.com)  
[bkussman@egcfirm.com](mailto:bkussman@egcfirm.com)

*Attorneys for Plaintiffs Ryan Breslow, Alex  
Fine, And Jon Gordon*